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91^o 294.

The Revolution defended, against the pretended Whig-Writers of the Craftsman.



HE Gentlemen who so long supported the *Craftsman*, being retired, the common Writer of it is so intirely destitute of Judgment, and of all publick Abilities, that he is below the Notice of a reasonable Man; and so the World judges: For he has wrote till no Man reads, and has brought a *Journal*, which sold off eight or ten thousand a Week down to three thousand; and yet, scribbling only for Pay, he obstinately perseveres in his Folly, and has the Vanity to imagine, that he *thinks* and *reasons* even upon Subjects of the utmost Importance to Mankind.

THE Subject he has now resumed, is the ancient and modern Constitution, Prerogative and Liberty; and whether we got or lost by the Revolution.

THE whole Design of the Author of the *Dissertation on Parties*, was to disgrace the Revolution, in mere Spight to the present Government; and to insinuate, that Prerogative is greater, and Liberty less than they were before that glorious Period: And this little Creature who now continues the *Craftsman*, and is only the Ghost of that great Author, dully retails what he delivered with Dignity and Sense, tho' not supported by Facts and Argument.

THIS Subject is of the greatest Importance to the English of any that I know; 'tis of the last Consequence to be assured, whether we received any Advantage by the Revolution: For if once it comes to be believed (what these pretended Whigs have infamously endeavoured to make us believe) that the Prerogative of our Kings is greater and more fixed, and the Liberties of the People less and more precarious since than before that Time, 'tis natural to look out for another Revolution, or, to speak in the Jacobite Style, another Restoration. It has the strongest Tendency (infinitely stronger than all the Doctrines of hereditary *Jure Divino* Right, and passive Obedience Principles) to set the Minds of the People against the Royal Family, and turn their Eyes towards Rome and the Pretender; for if, under our ancient tyrannical Kings, if under the Family of the STUARTS (a Family that was in one continued Plot or Conspiracy against the Constitution) the People fared better than they have done since the Revolution, and the Security of their Liberties was stronger, because the Crown was weaker, I am very sure the Inference is just, that we ought to change again; which was the only Point of View that the arch Patriot had before him.

I have already, in the Course of these Papers, carried it to Demonstration, that the modern Constitution is infinitely preferable to the ancient; and that we not only got by the Revolution, but that we owe every thing valuable in Life to the seasonable Intervention of the Prince of Orange; for, without that, we should soon have been swallowed up by two of the most dreadful Evils under the Sun, Popery and arbitrary Power, and been more wretched than our neighbouring popish, arbitrary Kingdoms, in Proportion to our greater Sense of Liberty and publick Virtue. But such a Creature is Man, as to be insensible to all his Blessings, and sensible only of his Misfortunes! Who would have thought, 30 or 40 Years ago, that we should so soon be driven to the Necessity of vindicating the Revolution against the Whigs themselves! But so it is, that Spight to the Ministry has gradually led some of them to a Contempt and Hatred of the Government, and then to a Hatred of the Revolution itself; for, rather than not disgrace the Court and Ministry, by loading them with the Scandal of introducing Parliamentary Tyranny and Legal Slavery, they have laid the Occasion upon the vast destructive Prerogative of the Crown, obtained since the Abdication of King James.

THIS is the Reason why I take up my Pen; 'tis to vindicate the Revolution and present Government: A glorious Cause! a Cause, which I would not only write, but die for, if ever the sad Occasion should come, that we should be obliged to contend for the Preservation of that Liberty, which Providence, ever wise and good, delivered into our Hands in the Clofe of the last Century.

So much we thought necessary by way of Introduction: Let us now consider what Mr. D'Auvors hath been doing in his two last Papers. He says, the Point in Dispute is, 'Whether that mischievous kind of Prerogative, which occasioned such just and loud Complaints in former Times, was really abolished at the Revolution, as Mr. Osborne hath asserted?' Agreed; that shall be the Point. I affirm, 'twas really abolished. Mr. D'Auvors says, 'twas not; and proceeds to support his Position after this Manner: 'Now, in order to decide this Question, it will be necessary to take a short Review of ALL THOSE POWERS which have commonly passed under the Name of Prerogative, and see which of them are actually set aside at the Revolution.'

THIS is very fairly said, and very true: But see the Honour of Mr. D'Auvors! for, instead of reviewing ALL THOSE POWERS which commonly passed as Prerogative before the Revolution, he, with his usual Integrity, leaves out the two grand Branches of Prerogative, which, while subsisting, levelled our legal Monarchy with the most arbitrary Government in the World, and rendered all our Laws useless and insignificant; and then, reviews only those Prerogatives which are perfectly consistent with, and preservative of our Liberties; or else are no Prerogatives at all: As I will shew in the Course of this Dispute.

DO TH not every Reader of *Rapin*, every Ploughman and Herbwoman know, That the Kings of England, till the Revolution, claim'd and exercised these two Powers, as Prerogatives, raising Money without Act of Parliament, and dispensing with the Laws themselves; nay, that raising Money without Law, was pronounced to be Legal; and that it was Law, to dispense with Laws? Was not the raising of Ship Money without Law, in Charles the First's Time, asserted by all the Judges, to be Legal? And did not one Judge, Sir Robert Berkley, declare, in the Case of Mr. Chambers, a London Merchant, who refused to pay Ship Money, that he would not suffer the Legality of it to be disputed? and did not he then add in open Court, 'That there was a Rule of Law, and a Rule of Government, and that many Things which might not be done by the Rule of Law, might be done by the Rule of Government?' And did not the Great Selden himself, in his Book intitled, *Mare Clausum*, not only assert the Right of the Crown of England to the Dominion of the British Seas; but clearly prov'd, by constant and continual Practice, that the Kings of England, without any Parliament, used to levy Money upon their Subjects to maintain this Dominion? — But let us go on. Don't we all know, and doth not Lord Clarendon himself confess, that Acts of State were counted as binding upon the Subjects as Acts of Law? Did not our Kings, even since the Civil Wars, dispense with Laws? Did not King Charles do it several Times? And did not all King James's Judges, but one, affirm, 'That a Power in the King to dispense with Law, was Law? And, in the Case of Sir Edward Hale, did not they make it a general Rule of Law, 1st, That the Laws of England are the King's Laws. 2^{dly}, That therefore 'tis an inseparable Prerogative of the Kings of England, as of all other Sovereign Princes, to dispense with the Laws upon particular, necessary Reasons. 3^{dly}, That of these Reasons and Necessities, the King was the sole Judge. And, 4^{thly}, That this is not a Trust granted to the King, but the ancient Remains of the Sovereign Power of the Kings of England, which never was yet taken from them, nor can be?

THESE Judges were as bad Prophets as they were Lawyers; for, within a Year, the Revolution demolished such Doctrines, Laws, Judges and Kings, all together, and involved them in one common Ruin; and yet, we got nothing by the Revolution!

THESE two Prerogatives, of raising Money without Law, and dispensing with Law, subverted the very Foundations of our Government, and put all our Rights and Liberties into the Hands of the King; and these Prerogatives were expressly condemned and set aside by the Bill of Rights, at the Revolution, in these Words:

'THAT the pretended Power of dispensing with Laws, or the Execution of them by regal Authority, is Illegal: And, that levying of Money, for or to the Use of the Crown, by Pretence of Prerogative, without Grant of Parliament, for longer Time, or

in any other Manner, than the same is or shall be granted, is Illegal.'

THE abolishing of these Prerogatives, and a Third, of governing without Parliaments, was, in Reality, abolishing all that mischievous, destructive kind of Prerogative, which occasioned such loud and just Complaints in former Times.

THIS was the Reason of my affirming, in some former Discourses, that the King hath now no Prerogative, but legal Rights; and that our Freedom from the King's Prerogative was not only claimed, but effectually asserted and secured by the Revolution. For, by our Freedom from the King's Prerogative, must necessarily be meant, Freedom from all that mischievous, destructive Prerogative, which was inconsistent with the very Being of our Laws, and the very Nature of a free Government; but not an Exemption from that Prerogative which is necessary to preserve the Balance of the Constitution; which is the Case of the Prerogative since the Revolution.

THIS is enough, at present, to shew Mr. D'Auvors's thorough Hatred to the Revolution, and compleat Knavery in Argument; for, when he undertook to Review all those Powers which have commonly passed under the Name of Prerogative, he carefully omitted to mention those which alone created all the Evils formerly complained of; and which were absolutely abolished at the Revolution.

(More another Time.)

F. OSBORNE.

Yesterday arrived a Mail from Flanders.

Vienna, May 15. O. S.

YESTERDAY an Order from Court came hither by the Post, to set up the Picture of Prince Eugene on Horseback over his Tomb; and as there is no Time to have a new one made, one will be taken out of the Emperor's Chamber. The Copies of the ten great Battles won by his Highness, are above three Foot either Way. They were taken from the Originals painted in the Netherlands, and are now in the Palace; but they will be fixed to the Pillars of the Church. — The taking of Asoph is not yet confirm'd. Mean time 'tis said, that certain Advice is arrived from Constantinople, that the Sultan has been obliged to take off an extraordinary Duty settled upon the Tradefmen over all the Empire, in order to prevent a general Revolt; and that the Jews have been taxed doubly. — P. S. A Courier from Paris has brought the Ratification of the Peace concluded with the King of France.

Hamburg, May 21. O. S. According to Advices from Petersburg, the Bashaw of Asoph demanded a Suspension of Arms for 10 Days, that he might have Time to receive Orders from Constantinople; but he could obtain no more than twice 24 Hours, after which he was told he must expect no Capitulation; so that the Besiegers hoped to be Masters of it in 4 Weeks, reckoning from the 28th of April. 'Tis also confirm'd, that an Alliance, Offensive and Defensive, is concluded between Persia and Russia, by which the one engages not to make a Peace with the Porte without the other.

L O N D O N.

Letters from Constantinople advise, that they are in the greatest Consternation imaginable in that City; that it was proposed in the Divan to send the Imperial and Russian Ministers to the Seven Towers; but after a long Debate, it was resolved, not to take a Measure which might be attended with such dangerous Consequences, in so critical a Juncture. Indeed by all Accounts the Fate of the Ottoman Empire seems to be drawing to a Period; and as the Peace of Europe seems to be settled upon a sure and lasting Foundation, those Powers, whose Interest it is to reduce the Limits of the Turkish Dominions within a narrower Compass, will have Leisure to turn their Arms against an Enemy, who were once at the Gates of Vienna, and threatened to over-run Europe, if a Stop had not been put to the Progress of their Victories, by the extraordinary Conduct and Bravery of those three great Generals, Sobieski, King



of Poland, the late Elector of Bavaria, and his late Majesty King George the First.

Letters from Dublin mention the Marriage of Michael Travers, Esq; Councillor at Law, to Miss Parefoy, Niece to Major Parefoy; and the Death of Oliver Wheeler, Esq; at his House in the County of Kilkenny; of Edmond Donnellan, Esq; of Streamstown in the County of West Meath; and of the only Son of Hawkins Robert Magill, Esq; Member of Parliament for the County of Down, by the Countess Dowager of Antrim.

They write from Bridgewater in Somersetshire, that, at 3 o'Clock last Tuesday Morning, they felt a considerable Shock of an Earthquake, attended with a great Noise.

Yesterday the new called Serjeants appeared at the Return of the Writs in the Court of Chancery, where their Writs were read; and after taking the Oaths of Allegiance, and the Oath of Serjeant, Thomas Parker, Esq; made a very handsome Speech to the Lord Chancellor, and presented him with a Ring.

The same Day Mrs. Constantine Philips, and Mr. Hodgson, were brought up to the King's Bench, to receive the Judgment of the Court, for the Contempt which they had been guilty of, in bringing a feigned Action; and the Court, out of their great Clemency, and in Consideration that they had been in Prison for the said Offence above a Month, and had paid the Prosecutor all his Costs and Charges, set a Fine of 13s. 4d. only upon each.

Seals after Easter Term, and before Trinity Term, 3736, viz.

Friday 11th June, First Seal.

Tuesday 22d ditto, Second Seal.

Wednesday 23d ditto, Petitions.

We hear that his Grace the Duke of Chandos is nominated Lord Lieutenant of Ireland, in the room of the Duke of Dorset.

They write from Suffex, that the Custom-house Officers, assisted by a Party of Soldiers, seized lately from a Gang of Smugglers near Chichester, 9 Horses, loaded with Brandy, Tea, &c.

'Tis said that the Earl of Crawford, one of the Sixteen Peers for North Britain, is appointed to succeed the Hon. Henry Berkeley, Esq; deceased, as Captain and Colonel of the Second Troop of Horse Grenadier Guards.

Tuesday next their Royal Highnesses the Prince and Princess of Wales are to remove from St. James's to Kensington.

We hear there are upwards of 80 Prisoners to be tried for divers capital Offences, at the ensuing Sessions at the Old Bailey, which begin on Wednesday next.

There will be an Exposition at the Oratory Tomorrow in the Morning, on the Point, Whether Book-learning be necessary to a Minister of the Gospel, challenged by Mr. Tipping and Dr. Philips: An Oration on the Mirror of the Diety, or the Idea of God. In the Evening an Oration on the present Contest of the Pope and Spaniards; and a publick Disputation, Mr. N. B. Opponent, Whether Professor Campbell's Doctrine was rightly disapproved by the Kirk of Scotland? Mr. H. Respondent.

Yesterday Bank Stock was 148. India 176. South Sea 99. Old Annuity 111 5-8ths to 3-4ths. New ditto 111 1 half. Three per Cent. Annuity 105 to 1-8th. Emperor's Loan 117 1-half. Royal Assurance 109 1-half to 3-4ths. London Assurance 14 3-8ths to 1-half. York Buildings 2. African 13. India Bonds 61. 10s. to 11s. Premium. Three per Cent. ditto 51. 6s. Premium. South Sea Bonds 51. 18s. to 19s. Prem. New Bank Circulation 71. 5s. Premium. Salt Tallies 4 to 6 1-half Prem. English Copper 21. 3s. Prem. Welsh ditto, no Price. Three 1-half per Cent. Exchequer Orders 6 1-4th per Cent. Prem. Million Bank 115.

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Next Thursday will be Published,

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June 1 was publish'd, as usual,

[Price SIX-PENCE.]

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By SYLVANUS URBAN, Gent.

Printed by E. Cave at St. John's Gate, of whom may be had any former Month.

N. B. The Time for receiving the PRIZE POEMS for the GOLD MEDAL proposed in the last SUPPLEMENT (p. 778.) cannot, with Justice to those that have already sent, be prolonged, as has been by some desired: But lest they should imagine others may be so indulged, they, or any Person concerned, may come or send to St. John's Gate Coffee-House on the 11th Instant, at 8 in the Morning, to see the Box (kept there for receiving the said Pomes) unlocked, a List taken by indifferent Persons, of the Number of Lines contained in each, and the Name and Motto thereto subscribed, and also may have a Copy of the said List, if required.

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